

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, August 25, 2015

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Vice-Chairman Stephanie Wierschem	X	Troy Behunin, Senior Planner	X
Commissioner Dana Hennis	X	Trevor Kesner, Planner I	X
Commissioner Cathy Gealy	X		
Commissioner Joan Gay	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Call to Order and Roll Call

Chairman Young called the meeting to order at **6:05 pm**.

1. CONSENT AGENDA

- a. Meeting Minutes for August 11, 2015
- b. **15-02-AN** (Annexation) **15-02-ZC** (Zone Change), **15-01-S** (Preliminary Plat) and **15-04-DRC** (Design Review): Trilogy Development - Applicant requests approval to annex approximately 10 acres into City limits and rezone an additional (approximate) 121 acres from A (Agriculture) to R-6 (Medium Density Residential to develop a 262 lot residential subdivision (Memory Ranch). The applicant seeks an R-6 (Medium Density Residential) zone for the subdivision as a whole. ***-Findings of Fact and Conclusions of Law***

Commissioner Gealy motioned to approve consent agenda;

Commissioner Wierschem seconds, all aye and motioned carried 5-0.

2. OLD BUSINESS:

- a. **15-04-SUP** (Special Use Permit) **15-05-DR** (Design Review) - Idaho Solar 1, LLC / Origis Energy USA, Inc: Applicant requests SUP approval for a 40 MWac solar photovoltaic project totaling 180 acres over 3 parcels, totaling 220 overall acres. Applicant proposes development of a commercial photovoltaic solar project, access from Barker Road, and design review approval for the accompanying landscaping in the required buffers.

-This item was tabled from the August 11th, 2015 regular Planning and Zoning meeting

Due to potential conflict of interest, Commissioner Lee Young recused himself from case #15-04-SUP and 15-15-DR.

C/Wierschem (Acting as Chair): Thank you. Before we get started tonight, I wanted to just remind everyone that the public testimony is closed. That was closed at our last meeting on August 11, 2015, and tonight we are here for questions, clarification and information that the body is going to be discussing so I would like to ask staff if there is any additional information received, or not received that you need to provide?

CITY OF KUNA REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

Troy Behunin: For the record, Troy Behunin, Kuna Planning and Zoning Department. As you noted just a few minutes ago, the public hearing portion has been closed. We have not received anything new from the public or anything that should influence the decision tonight. All of the information that you should be considering tonight was delivered in the packets for the last meeting, so staff would stand for any questions that you have concerning that information.

C/Hennis: I don't have a question for staff.

C/Gealy: No questions.

C/Wierschem: None at this time, thank you. Does anyone have any questions for the applicant that we would like him to come back up and address? I do, if you would please approach, state your name and address please?

Michael Chestone: Hi. Ladies and gentlemen, my name is Michael Chestone, Origis Energy. 79 SW 12th Street, Miami, FL.

C/Wierschem: Thank you. I would like some clarification after reviewing the information; it was noted that part of the project is out of the fire district and being in the desert and being prone to naturally caused fires and so forth, and being a well on your project, I am wondering what would your steps be to ensure the safety of the residents around as far as your project and in regards to... would there be any emissions put into the air and so forth?

Michael Chestone: Ok, sure. First; the panels themselves, if there were ever a fire, then the panels themselves would have to have a significant fuel source next to it for them to melt, but they are 90% glass and aluminum so they are not themselves a fuel source. When we go into construction, and during long term operations, we actually mechanically through our vegetation management program, remove all of the underbrush. So we believe that the entire project area actually becomes a greater use for defensible space for the neighborhood than it currently is because we are actually taking that fuel out of there. Further on, the ****inaudible**** is not within the district so we've met with Kuna Rural Fire District on the project and we are in the process to annex that into Kuna Rural Fire, but if there were let's say; a large pile of brush for whatever reason, underneath the panels and it started to melt or smoke, there is not toxic fumes in these types of panels. These are poly-silicon panels. There are other types of panels that have gone through a series of studies because of some of their base materials. Again, not the type that we are using and even those panels have proven to be inert in a fire situation so there is zero hazards there for human health and safety.

C/Wierschem: Thank you. And I have a few additional questions so please be patient. The next thing I wanted to clarify on was safety and monitoring of the project once it is up and going and as far as the fence perimeter, in regards to vandalism, animals, natural causes, if the fence is damaged, how can we ensure the safety of the community?

Michael Chestone: Sure. So we do have roughly an equivalent of five full time employees that will be at least one dedicated full time staff to the plant for the ongoing maintenance and operations. The others; when I say five full time equivalents will be a combination of seasonal labor; panel washing, vegetation management, those sorts of things. As far as the integrity of the perimeter and the fence, it is something that we take very seriously. We've got both what we might consider more confidential measures of security that could be motion or otherwise. We certainly have cameras and we also have an infrared beam that spans the perimeter along the entire fence. So if that beam is crossed; if a coyote were to burrow through and disrupt that beam, we would know it and it would come through our custom monitoring software and we would get an alert.

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

C/Wierschem: Thank you. I think that you spoke about this last time, but I would just like further clarification. In regards to transformer leakage; is it possible? Is it not?

Michael Chestone: Transformer leakage? Sure. So, the transformer may have mineral oil based content but there would be containment for that as is common with every transformer that is in every substation in every yard. At its core, it's an inert mineral and it is in fact, found on most of these pole mount transformers that you see. The white cylinders; it's the same mineral oil that's in those transformers, that would be in our transformer. And then we essentially have a pan underneath that to help collect that.

C/Wierschem: Ok. Thank you. And after re-reading your information that was provided, and you gave great length and details, but I just want to touch on ground erosion and if it occurs around the panels, how that would be maintained or whatever?

Michael Chestone: Could you clarify please, when you say ground erosion?

C/Wierschem: Well, I guess like wind and water reshapes land and would the panels reshape over time for erosion?

Michael Chestone: We don't anticipate any long term modifications to the site itself. It drains naturally and it drains very well. All of the water will be retained on site and evaporated in its own topography. As far as other types of erosion that could result, there is really nothing that would occur. There could be if there was an electrical box somewhere and there was water dripping, then there could be a small divot or something in there but it is minor. And that would all be again, taken care of during operations so anything that would be ongoing would be filled.

C/Wierschem: And an item discussed last time was the noise level. And I don't believe it was stated on the decibel... that noise that would be produced. Do you happen to have that for tonight?

Michael Chestone: I do. I'm going to have to get the exact decibel level. If you don't mind, I'd like to check first. If I could request to just take a moment and look on my computer?

C/Wierschem: Yes, please do.

Michael Chestone: Sorry about that. Thank you for your patience. These particular types of inverters have a noise level of 25 decibels which is quieter than a refrigerator producing more of a hum. As you move away it reduces further down to...

inaudible talking from the audience

C/Wierschem: Excuse me, if I could just interrupt for just a second. At this time, I am going to ask that audience to please refrain from blurting out.

Michael Chestone: ... so, my apologies, it is a logarithmic calculation as you move further away, but the base answer to give you is 60 decibels at ten meters; and that is equivalent to about a household air conditioner. And as you go further away, that dissipates and it would dissipate about the same rate that you would if you were to move away from an air conditioner.

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

C/Wierschem: Ok, thank you. And in regards to the height of the panels as they are tilted to the maximum height; at what degree do you believe they would exceed the height of a six foot fence?

Michael Chestone: Never.

C/Wierschem: Thank you. And at any time would the panels go above the six foot fence?

Michael Chestone: No, and in fact, one of the things that we are working on and talking through is trying to have a landscape barrier there that would help to alleviate some of the concerns along the western edge of the property that is adjacent to most of the homes. So we are meeting... we also met with Ada County and that's an Ada County portion and I think that is where a lot of the concern lies. But what we're working through with them is trying to find a full ... essentially block out shrub line so that you wouldn't even see a fence; it would just be some kind of plant that we've yet to determine, but we're absolutely willing to do it and it is something that we are moving towards so that we can help alleviate some the concerns and that would be potentially, slightly taller at some points than the six foot fence so you wouldn't see the fence. You wouldn't see the panels.

C/Wierschem: Thank you. Does anyone else have any other questions?

C/Gealy: Yes. Could you go back to the noise level; you said 60 db at ten meters; is that for each panel?

Michael Chestone: No. So the panels themselves don't make any noise. Yeah, it's a solid state semi-conductor and then the noise comes from the inverter stations that would be set back into the field.

C/Gealy: They don't make any noise? Ok. And how many of those will there be?

Michael Chestone: In the Kuna portion, in total there will be twenty of these stations. In the Kuna portion, there are I believe ten; maybe eight. Nine, exactly; to answer your question. None of those are on the perimeter, they are all inside as you can see on the layout, the dots that sit inside on the drawing there.

C/Gealy: Thank you.

C/Wierschem: Are they located on this? Would you mind, please...

Michael Chestone indicates to page C-01 of the site plan contained in the staff report.

Michael Chestone: They are these dots; each one of those.

C/Wierschem: Thank you. You mentioned that there was a discussion going on with Ada County and I am wondering if there is a discussion that you have had with our staff or others in regards to landscaping and trying to be a good neighbor; has there been a decision made or an agreement other than what has been presented?

Michael Chestone: There is an area that is on, I guess the first area that is on west Chief's Farm Lane as you're going down and...

C/Wierschem: Would you like to approach please?

CITY OF KUNA REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES Tuesday, August 25, 2015

Michael Chestone: Sure, so it is this area right here; this is the closest property here. So the amount that we can move of these panels, to another location, perhaps we look at over here. Part of that is going to be driven by technical constraints on the plumbing and electrical requirement, but we are willing to move these.

C/Wierschem: Ok.

Michael Chestone: And we are willing to landscape this and have an additional buffer right there. And maybe you could add that as a condition of approval.

C/Wierschem: Ok. Joan, did you see? I'll show you. Does anyone have any further questions?

C/Hennis: Not for the applicant, no.

C/Gealy: We talked some about the fence that is chain link with some sort of wire on the top; and then there was some conversation about using slats to make it a solid fence, but you indicated that slats could cause debris. Do you have any other suggestions for that?

Michael Chestone: So, again, the slats are also against Ada County code so it is in violation of county code and we confirmed that again this morning while sitting and talking with staff, so we would not be allowed to use slats on the Ada County portion.

C/Gealy: ...on the Ada County portion?

Michael Chestone: What we are proposing is a shrub line so it is some kind of ... I think it is an Arbor Vitae or a Livonia Cypress or some kind of tree that essentially is a full block-out shrub line so you wouldn't even see the fence and then there would be a chain link fence behind that; but it would certainly go the height and then a little bit higher than the fence.

C/Gealy: And then, this may be a question for staff... but when staff presented at the last hearing, staff asked if we would consider relaxing the standards for landscaping due to the length along Barker and Cloverdale Roads.

Michael Chestone: Yeah, I believe again that Cloverdale was the request.

C/Gealy: And that was your request?

Michael Chestone: We looked at the original landscape requirements and we put together... for the corner there, and then it was a mutual discussion with staff that we said what these requirements were going to be and they said 'well, there is code' and we said that is an awfully long way and this code may not be designed for this type of application but to the extent that we can accomplish the same goal that the code was designed to enforce; and if there is even a better privacy aspect that we can use, we are certainly happy to do that. For us, we are less concerned about the actual species of plants and the aesthetics of the plants themselves as you might be in a residential subdivision or something like that; for us, we would like to help accommodate and alleviate some of the concerns of the visual aspect. So, we would be willing to work with staff to use whatever is allowable by code, or by you.

C/Gealy: Thank you.

The Commissioners thanked Mr. Chestone and proceeded with their discussion:

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, August 25, 2015

C/Gealy: I have three notes that I want to make sure we remember:

-The applicant did agree to conduct an avian survey and monitoring at the request of fish and game so I want to remember that.

- I am not inclined to relax the standards for landscaping, but maybe modify the standards for landscaping or maybe do a little bit of rearranging of the landscaping that would be available along a long route to mitigate the neighbors concerns, so maybe we could cluster some landscaping in areas; to work with staff and the neighbors to mitigate those concerns.

C/Hennis: In addition to the shrubbery line that he was speaking of?

C/Gealy: Or, in addition to or in conjunction... that would then become an entire landscaping plan.

C/Hennis: Because I think that landscaping along there; the coverage that they are suggesting with the shrubbery line would definitely help block out some of the visual aspect, but then it becomes a little overwhelming as a 'wall'.

C/Gealy: Right.

C/Hennis: So I think we need to add a little ... I like your idea of some little clusters along there just to break it up.

C/Gealy: I guess my understanding was perhaps we could have a clarification, but there would be shrubbery where it could mitigate the neighbors concerns, but not landscaping everywhere and just wide open? Or was it going to be a solid hedge?

C/Hennis: Would the applicant come forward again? You were talking about the shrubbery line that you were discussing with Ada County along the western edge; are you talking the whole western edge or where specifically were you talking about?

Michael Chestone: When I was talking about the dense-packed shrubbery, I was talking about the Ada County portion along the western side immediately adjacent to the residences and then as we moved into the question about the relaxed landscaping, I simply indicated that we were able and willing to work with staff to find something in between or whatever is favored. Everything from, if it's less than; that is more preferable... if it's a full block out to the wall concern, or then something in between.

C/Hennis: Ok. You're talking, like on Cloverdale?

Michael Chestone: Yes. If it is the request of the Commission and staff, we are happy to do it.

C/Hennis: Ok, thank you. Cathy, did you have any other questions for him?

C/Gealy: No. Thank you.

C/Wierschem: Before we proceed, I just want to... I know each of you have this in your binders, but I just want to share this and this is landscape code; so I made copies if you want these.

C/Hennis: Do you know what the distance is down Cloverdale.

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

C/Wierschem: I am sure it says so. Can I have staff approach please?

City Planner, Troy Behunin clarified lengths along the perimeter of the site. Cloverdale from Barker to Chief's Farm Lane is approximately 2100 feet. Barker Road frontage is actually greater at 2600 feet. A full mile is 5280 feet in length so half a mile in each direction.

C/Hennis: You know, I think if we move this area like they were speaking of; if we put the shrubs along Chief's Farm Lane then down behind the adjacent properties, well... actually this isn't even our consideration right now. It's just this area is what we are dealing with right now.

If we have them move that, so we can add additional buffering there, I think we're good. It just depends; I don't know if we would consider this a building development. I feel like it's more like parking lot landscaping because it goes from one shade tree per 35 feet to five shade trees.

C/Wierschem: I don't see it as a building development; I see it as more of an alternative method for the plants.

C/Hennis: Actually it's the same; one shade tree per 35 feet and five shrubs, so that is the same. So, it would come out to 60 trees; 300 shrubs.

C/Wierschem: Troy; could I get you to clarify in regards to a relaxed landscape plan that has been discussed and what has been ... what do you recall?

Troy Behunin: Well, first of all, let me just kind of clarify the discussion you are having about which standard this would fall under; this would be considered a development, so it would follow the three shade, and two evergreens per 100 feet. That may not be included in that which you are looking at. That sheet is actually provided to show that there is an alternate method of compliance; and this is in item number 2, near the bottom of the sheet. That is the code that gives the Director and the Planning and Zoning Commission the authority to suspend, modify or relax some of the standards from the straight code where it is deemed either impossible or impracticable to provide full compliance. So that is the code that is being invoked for that request. The landscaping code for a landscape buffer; it does require three shade trees and two evergreens and twelve shrubs every 100 feet, so this would be times 26 on Barker Road; and times 21 on south Cloverdale Road. So that is the standard as it is; as far as the length of the project, staff would agree that it is impractical to have that kind of an impact for the project. Both, in terms of water usage and also for the sheer size of the project; so staff would be supportive of anything less than the three shade or the... well, just about anything less than the three shades and the two evergreen and the twelve shrubs per 100 feet.

I believe that shade trees could create a problem; evergreens could create a problem; they get too tall and they cast a shadow, but staff would certainly support anything that this body comes up with in terms of something less than. And maybe it is just an open discussion; instead of having five trees per 100 feet, maybe it's three. Instead of twelve shrubs per 100 feet, maybe it's only six or maybe it is only eight. But also, please recognize that around the substation on the hard corner; that is a full compliance landscaping theme.

C/Hennis: Alright.

C/Wierschem: Thank you.

C/Hennis: I'm not too concerned about Barker Road up here. We don't have a lot going on the top side. I'd be more concerned about trying to focus our attention on; or at least my concern would be more on Cloverdale Road. Because we are going to be taking up that spot with the full compliance landscaping like he said, for the neighbor directly

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, August 25, 2015

above and they're an agricultural field, so I would have no problem relaxing it on here and maybe relaxing it some along Cloverdale.

Troy Behunin: There was also a discussion about clustering the landscaping. That is a technique that is frequently used in all forms of development so it doesn't have to be one blanketed... you know; every 25 feet, there is a tree and every 17 feet, there is a shrub. It doesn't have to be that way; there can be a clustering technique that is frequently used.

C/Hennis: The difference here is that we kind of want that whole thing. If it is clustered, then you have open spaces.

C/Gealy: Troy, one more question; I'm sorry: with respect to the boundary there at the eastern edge of the lots that face Cloverdale, there is no landscaping proposed there, is that correct?

Troy Behunin: Actually, everything below this line; below Chiefs Farm Lane, is actually in the county.

C/Gealy: So, I am not looking at that?

Troy Behunin: I do not know if there is anything proposed on that. That would be the parcel that is the east side of the Amalgamated Sugar lot.

C/Gealy: Ok, thank you. Joan, did you have any questions or concerns?

C/Gay: My only question is how we would address that; how would we tie that up? How much detail do we ...?

C/Hennis: Well, we could specify the number of each that we would like to see in there, and then, let them work with the city to choose the appropriate types of trees so that it is a mixture and such. I think we would want to try to stay a little more towards evergreens, just so that they have a year-round type of barrier because I think that is more of a concern than during the summer time. So maybe we go one shade tree, two evergreens and like six shrubs or something; it's about half or a little more than half. What do you think?

C/Gealy: I'd rather not get that specific. But I would like for the applicant to work with staff to develop a landscaping plan and work with our city forester about what would be reasonable and still address these concerns for the boundaries that are in our jurisdiction.

C/Hennis: I don't know if we could let it go that vaguely though; that is the problem. I think we could address it by numbers and then as to whether they want them to spread them out, or do that kind of stuff; what type of trees, what type of shrubs is one thing, but I think we need to ... we can't just say 'yeah, we can relax it a little bit', because we need to give them some direction on that. I think that is probably the only thing that I would say.

C/Gealy: I am not inclined to relax the standard. I am inclined to expect flexibility; in that, they would cluster in ways to address the concerns that have been raised here.

C/Hennis: Do you mean on both roads, or just one, or...?

C/Gealy: Well, especially along Cloverdale.

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, August 25, 2015

C/Hennis: Exactly my feelings as well. I am a little less concerned with Barker; that is the only reason I ask. Would you be up for doing...?

C/Gealy: Sure. Yeah, I think that makes sense.

C/Wierschem: And then it is our understanding that the applicant has agreed to ... along

C/Hennis: West Chief's Farm Lane? Right.

C/Wierschem: Yes, with those accommodations for the residents and then it would be landscaping along there.

C/Hennis: So, along the Ada County area, they are speaking of putting a shrub line to block the fence. Here, we are going to have chain link fence; especially if they go and group these trees; we are going to have visible chain link. They talked about putting like a shade screen because they can't do slats. Do we want to specify something of that nature because it helps decrease the visual impact as well? Because I don't think that just having chain link is going to be sightly. Especially, since the shade trees need to grow in.

C/Gealy: So, are you suggesting just a hedge along that length of Cloverdale Road?

C/Hennis: Or, just put screening material on the chain link.

C/Gealy: Like the slats?

C/Hennis: Well, no. Use shade cloth; that see-through shade cloth. Because the slats can damage, like he said, if it comes apart, it damages, or do you think we ought to try and screen it with vegetation?

C/Gealy: I think in some areas, vegetation and then some areas I think a chain link would be fine. Again, it's not so much for people driving by on Cloverdale, but people living on Cloverdale. What do you think?

C/Hennis: Right. It works for me.

C/Wierschem: Well, I agree; the visual needs to be addressed and I'm comfortable with the shrubs or the greenery, but I'm not ok with just chain link, so if we cluster along Cloverdale, I think then that needs to be addressed. If we don't cluster, then I think ...

C/Hennis: Because if we did a cluster of vegetation, then we would have these open areas, so that is what I tend to wonder. I like the look of the clustered, but I am concerned with in between there.

C/Wierschem: And the only way unless the staff has another solution, is the fabric.

C/Gealy: The fabric screen?

C/Hennis: Which actually does pretty well, I mean that is what most schools use these days.

C/Gealy: So we'll have some additional conditions of approval. That the applicant will conduct avian survey and monitoring as requested by Idaho fish and game; that the applicant will work with staff to provide for landscaping along Cloverdale Road to address the concerns of the neighbors including screening fabric where appropriate.

CITY OF KUNA REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES Tuesday, August 25, 2015

C/Hennis: Well, what do we want to say along Barker? What is our recommendation there?

C/Gealy: I think landscaping plan as submitted along Barker Road is fine.

C/Hennis: Just for that one corner?

C/Gealy: Well, what would you like? So that is two conditions.

C/Hennis: Well no, I am just saying... well, because right now, that is required. What we're saying along Cloverdale is also by code, required along Barker.

C/Gealy: So we can relax the landscaping requirements along Barker Road and the applicant can work with staff to identify....

C/Hennis: Maybe, cut the requirements down by half?

C/Gealy: By half.

C/Hennis: Ok.

C/Wierschem: No less than half.

C/Gealy: And the applicant is going to investigate the feasibility of relocating some of the panels that are closest to some of the neighbors?

C/Hennis: Yes; at Chiefs Farm Lane and Cloverdale Road.

C/Wierschem: And then in addition to that, there would be full landscaping on that portion of...

C/Gealy: At Chief's Farm Lane?

C/Wierschem: For the neighboring properties.

C/Gealy: Anything else?

C/Wierschem: I just wanted to get a clarification from staff before we make this proposal; in regards to the cloth or the material to be used as a buffer, any thoughts or concerns or other recommendations?

Troy Behunin: I do know that everything with Barker Road is under the control of the same company, so I don't know if that would have to do with your decision about landscaping along there; I mean, they own it. So everything north of the project is under their control. In terms of the screening or the cloth; staff would be a little concerned that it won't handle the wind but I am sure that through negotiations, we can certainly work through a method to work with the Arbor Vitae's or the other plants to provide a hedge in addition to the clustering technique that you have discussed. We can certainly work together and create something that is both effective and something that mitigates the impact. And something that is also pleasing. I am not an expert on the cloth that is used; I do know that it is used, but I do not know the duration or life of the cloth. I understand plants.

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, August 25, 2015

C/Hennis: Thank you Troy.

C/Wierschem: So could we extend the conversation in regards to Barker Road then? Any concerns since they own the other property, instead of doing partial or full; any thoughts?

C/Gealy: We could make the condition that they would work with staff to mitigate the neighbors concerns across Barker Road.

C/Hennis: Well, that is what he is saying; there are no neighbors across Barker Road.

C/Gealy: Well, it happens to be them, but am I right?

C/Hennis: Well, yeah, it is an easy mitigation.

C/Gealy: But, do you still want to specify that we would cut the landscaping requirement by half for that length? I would still like the full landscaping at least at the corner.

C/Hennis: I agree; that is proposed.

C/Wierschem: I agree. Yes, because of the substation there.

Troy Behunin: That is not part of the request. The corner by the substation is ...

C/Gealy: Yes; that is proposed.

Troy Behunin: They already agreed to do full compliance with that corner.

C/Hennis: Well, I think they ought to put something along there to kind of close off their area. So maybe twenty-five percent along Barker Road and then just full compliance along Cloverdale; because, just because they are in control of it, doesn't mean that ...

C/Gealy: ...that they always will be?

C/Hennis: Exactly. I mean who knows what could come about in a couple of months?

C/Wierschem: How do you feel about having trees along that and maybe do more shrubs or greenery for that portion?

C/Hennis: Most of the shrubs are not going to be tall enough for a good four to five years. I mean, Arbor Vitae are about the only thing so I would almost like to see some trees until we can get some shrubs in there, but the trees are what is going to cover a lot of the sight line for the neighbors. A wall of Arbor Vitae is not necessarily the answer for aesthetics. I have seen enough of them.

C/Wierschem: As I was just looking at it, since it is just a field and in three, four or five years, whatever; those would be at sufficient height. Any comment or thoughts on that?

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

C/Hennis: So, you are just talking about along Barker Road?

C/Wierschem: Yeah, just that.

C/Hennis: Well, I think this area right here; this is going to stay regardless, but it is from here on, for another 2100 feet. Because that right there in itself is only... this corner piece which is going to stay, is just this part right here. So we're talking about this whole length here. So this will stay the same regardless of our decision.

C/Gealy: I don't have a preference if they do trees or shrubs along that long stretch of Barker Road; again, I think they could work with staff and the city forester to determine what is the most responsible, reasonable thing to do in that area.

C/Hennis: Okay. I agree.

C/Wierschem: Any other last concerns?

C/Gealy: I guess I would want to be sure that the applicant is aware that the maintenance of this landscaping is their responsibility. That's already condition number 9.

C/Hennis: Oh, yeah, it is. It is already conditioned. Ok, no worries.

C/Wierschem: I would stand for a motion.

C/Hennis: Do you want to or do you want me to?

C/Gealy: Do you already have the additional conditions that we've been...? Does it all need to be part of the motion?

Troy Behunin: It needs to be stated as one continuous motion.

C/Gealy: Ok. Good luck.

Commissioner Hennis motioned to approve 15-04-SUP (Special Use Permit) and 15-05-DR (Design Review) for Idaho Solar 1/Origis Energy, with the conditions as stated in the staff report and the additional conditions that:

- 1) The applicant and landowner will agree to conduct avian survey and monitoring as requested by Idaho Fish & Game;*
 - 2) the applicant will work with City staff to provide the appropriate landscaping and screening material along Cloverdale Road to full compliance with City standards; but these standards may be relaxed along Barker Road to no less than 25% of the City standards;*
 - 3) at the corner of W. Chiefs Farm Lane and Cloverdale Road, investigate the viability of moving a group of panels and replace them with landscaping for screening for the neighbors;*
- Commissioner Gealy seconds, all aye and motioned carried 4-0.*

3. PUBLIC HEARING

- a. **15-04-S** (Subdivision) and **15-07-DR** (Design Review): – Ardell Estates Preliminary Plat and design review: A request for preliminary plat approval for a 261 (residential) lot subdivision in an R-6 (Medium Density

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

Residential) zone. The applicant also proposes to develop 27 additional lots into common lots. Applicant is proposing a minimum of seven (7) phases of development to be driven by the market.

C/Young: We'll have the applicant approach and present.

David Crawford: Commission President and Commission members: my name is David Crawford; I am with B&A Engineers. I am here representing the applicant of Ardell Estates Subdivision. Troy did such a wonderful job on staff reports, and I don't want to reiterate so I won't get into those details, but I do want to take a few moments to discuss the project. It is approximately 68.5 acres more or less and we've developed it with a fully integrated landscape plan and consistent with the underlying requirements of the R-6 zone. It should be noted that this project was previously approved some years ago as water's edge development. It was developed with 407 units and had a lot more density than what we are proposing here this evening. We believe that while the underlying R-6 zone is representative of about six units to the acre; this is more consistent with an R-4 zoning and it is still below that at about 3.6 units to the acre. We believe what we have presented here tonight is an effective, efficient layout which continues development that is occurring adjacent to the project and the surrounding areas and we presented the project to serve all the lots within the development with sanitary sewer, water, pressurized irrigation and to conform with the Kuna City master plan for the extension of those facilities. There has been a lot of discussion with different entities as we reach this point. We consulted with the city staff, city engineer along with some other entities such as the Boise Project Board of Control. The reason why that is important is because there is an item contained within the staff report that is item number 13 of the conditions of approval which indicates that there is a common area lot through the middle of the development which we are piping the Hubbard-Beal Drain. The pipe will consist of a 36" class III reinforced concrete pipe contained through the development which ties into an existing pipe along the northerly boundary, where it extends through the Arbor Ridge development. The condition of approval indicates that there are landscape requirements for that. It should be noted that Kuna city code does require us to place irrigation facilities within their own lot in a subdivision development, which we have done here. That; de-facto, becomes open space. One thing that we are very lucky to have here; I have been involved with the Boise Project Board of Control within several developments in the area and normally, their requirements are that no facilities are placed within their easement. Many years ago, I started negotiations with the Boise Project Board of Control and we were able to come up with a multi-use plan which is inconsistent with their policy; but that allows us to place very restrictive elements within their corridor. To that end, what we have been able to do, is place grass within that corridor along with an asphalt pathway. That asphalt pathway is basically an extension to the 8 acre city park contained within Arbor Ridge subdivision. So, we have been able to continue this development starting years ago in Deer Hunt subdivision to the south which buffers Deer Flat Road, and we were able to get a pathway through there and we were also able to secure the pathway location in Arbor Ridge. This is highly unusual for the Boise Project Board to allow the installation of those facilities and we are lucky to be able to continue that through this development. So while we are not able to negotiate the placement of trees, we have been able to negotiate the placement of the path and grass which will be maintained by the homeowner's association. So, with that I would certainly like to present to you this evening just a little 8.5" x 11" of what we were able to do that is consistent with not only Kuna city ordinance as best we can, but consistent with the Boise Project Board of Control's requirements.

C/Young: Do you have a copy for staff that they can enter into the record as well?

***Reference Exhibit A-2-o (submitted preliminary plat) ***

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

David Crawford: You bet. Commissioners, as I move forward, it should be noted that what we see here is resultant of what the market is currently purchasing. We have a viable economic development here which takes into account, sales over time. It is going to be done within several phases. Those phases have been set up; I believe there is a phasing plan in your packet, which allows us to move forward and secure a second entrance at Addax Avenue which is an extension from Stonegate subdivision to the southerly boundary of the project.

Mr. Crawford indicates to areas on a large presentation board

David Crawford: We plan on providing all of the amenities in accordance with the Kuna city code which includes fencing of unfenced areas around the border of the project and to maintain open spaces by the homeowner's association. One other thing; another part of our strategy was of course to consult with the city of Kuna prior to coming up with layouts to see what we needed to do as far as bringing the appropriate facilities to service the development and other areas within the city; such as main line extensions of water and sewer. The city has provided for the installation of the sewer line from Addax Avenue to the south to the northerly boundary of the project where a main trunk line was installed. That essentially locks the location of our Addax Avenue planned through the project. That sanitary sewer line currently exists and is just finishing construction. One of the items that came up after we submitted our application is you will notice along the project's southerly boundary, there is a long lot that is filled with nothing. That was initially in anticipation of an irrigation storage facility that was going to be dedicated to the city of Kuna. After we submitted the application, we received some requests from the city engineer to alternatively locate that to more of the perimeter of the project and to scope it down so there was not as much maintenance obligation on the city; rather than have a shallower pond; we'd have a deeper pond. So, over the past several weeks, we've had some negotiations with the city engineer; we've provided for I think it was like 6 or 7 different layouts and we finally received a blessing for lack of a better term for smaller site that is closer to the facilities that are necessary to serve such as III phase power, an irrigation drain for the discharge of pressure irrigation system and to maintain a little more consistency with perimeter fencing that the city may want to see installed there. So, there has been a modification; and that modification is that entire length of the property there, so we had to come up with an alternative design. So we have subsequently swiveled the road slightly from Addax Avenue and its intersection point here, south to where it parallels the project boundary and then continues north like you see it there. I do have a handout to give to each one of you and I do have some for staff as well.

Reference the pathway cross-section submitted by David Crawford

David Crawford: So, I have turned this to sheet 2 in the interest of brevity and as you can see from the intersection here at the extension of Addax Avenue, we've maintained that same connection point. We've sloped the road down south to where it parallels with the projects southern boundary and then north, where it intersects with the same location. We didn't have extra long lots there over as much of the project as we can; of course we do have extra long lots near the intersection of Addax. So lot 15, I believe is showing on this plan as block 11 is now considered the location of the pressurized irrigation storage facility for the city of Kuna.

C/Wierschem: Could I stop you right there? Would you mind approaching and indicating on here? You said lot 15?

David Crawford: Yes, it's on the second page, in the southeast corner.

C/Wierschem: That one? Thank you.

CITY OF KUNA REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES Tuesday, August 25, 2015

David Crawford: Yes.

C/Gealy: Would you show us on the big one over there? Thank you.

David Crawford: It should be noted that the property that comprises this development has paid its LID (Local Improvement District) based on 407 units, so with this small change; this modification, we have the addition of two lots which occurred... so we took that land mass; slid the road south, extended the lines down, and added two additional lots at the ends. So there is a net gain of two additional lots from what you have previously seen in the original application. With that, I would stand for any questions you may have.

C/Young: Does anyone have any questions for the applicant?

All Commissioners: Not at this time.

C/Young: Ok, I do have just one or two: on your first handout, you have roughly a cross-section of eight foot wide pathway. Is that negotiated with the irrigation, because I am thinking that the city code calls for a ten foot pathway? Is that something that was negotiated previously or is that...?

Troy Behunin: Ten foot pathways are only in the overlay district.

C/Young: Alright. Thank you. And next question; looking at the entrances, I don't see any signage. Is there anything proposed for future? Do you have signage that is going to come in later for the entrances or what are your plans for those?

David Crawford: The main entrance to the project is of course off of Linder Road; though, we are improving Ardell Road and School Street. There will be connections out at all of those as the project develops. There are buffer areas adjacent to those main entrances where signage for the subdivision development may go in there, but I just don't believe we have any specific designs on that, but of course, in accordance with Kuna city code, before the signs are placed, we will definitely have to bring those in and get that approved on an individual basis.

C/Young: Ok. And my last question is; we have listed 27 common lots and I see these nice strips of common lots. It almost is more reminiscent of a commercial landscaping strip than what I would perceive as landscaping in a residential subdivision. Has there been any thought for anybody to take the same net area and try to condense some of those strips into an area where a true tot-lot or something along those lines can be placed in that subdivision; for the immediate use of the people there, rather than just a strip of landscaping along those streets?

David Crawford: Chairman and Commissioners, there are several reasons for placing those common lots such as they are, but really, what they do is they break up the street line so that you can just add better visual appeal in there. Those things of course, would be maintained by the HOA. What we have noticed over time; and it has been communicated to me that having tot-lots with HOA's responsible for places of large expanse, is that when the economy goes down or people do not want to pay for those things anymore, they just don't. And so they fall into disrepair quite regularly. What we have been able to do here again, is extend accessibility through the project up to the eight acre park that is located in Arbor Ridge. It is a lot better use of funds to do that. So, we haven't really thought about condensing any of those because it is important to have entrances and streetscapes beefed up by landscaping and so that is what we have done in this particular instance.

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, August 25, 2015**

C/Young: Ok. Is there any...?

C/Gealy: How far away is the eight acre park?

David Crawford: Commissioner, it is located within Arbor Ridge; so it is a half mile north. In the northeast corner...the upper right hand corner of sheet 1, there is a vicinity map and you see Hubbard Road a half a mile north of the north boundary is ****inaudible**** ...right off of Hubbard Road, west of the Arbor Ridge development. I know that it is difficult to see, but that is where it's at. So it is 2640 foot walk or bike ride.

C/Young: Any other questions for the applicant at this time? Ok, then we will have staff come forward and present.

Troy Behunin: Good evening Commissioners, just for the record, Troy Behunin; Kuna Planning and Zoning department Senior Planner. The application before you tonight; 15-04-S and 15-07-DRC for the Ardell Estates subdivision; staff will let you know that they have fulfilled all of the noticing requirements; they held the neighborhood meeting required prior to submitting the application; the site has been posted for tonight's hearing and letters have been sent out to land owners within 300 feet of the project. Tonight's hearing was also published in the Kuna-Melba newspaper, and the notes from the neighborhood meeting are actually included in the letter of intent I believe on page 5 where there is a comment section about questions that came up in their meeting with the residents. They have fulfilled all of the requirements that staff has asked for them to provide, be it information or anything that we've asked, David Crawford from B&A Engineers has given us everything that we have asked for and been prompt with it. Staff did have a discussion with him about the common lot issue and for unknown reasons; staff is unaware that the easement for the pipe is the entire width of those common lots where that pathway is provided; so that is the reason why there is no landscaping there. Staff does understand that Boise Project Board of Control does have ...they are a little persnickety when it comes to what goes in their facilities as David has explained, and staff would concur with what is proposed. Other than that, the project follows all of the R-6 zoning regulations and the preliminary plat regulations and there is no reason why staff would stand in front of this project. I will answer any questions you might have.

C/Gealy: So, did we receive a phasing diagram of the site?

C/Hennis: Yeah, I can't find one either.

Troy Behunin: I do not know why it is not in there. It should have been. I will find it and bring it back to you.

C/Hennis: Can the applicant possibly just at least describe....?

C/Wierschem: Yeah, maybe he could put it up and just walk us along...?

Troy Behunin: I have it and I can go make copies, but I honestly don't know why it wasn't in there. It was part of their application packet and should have been.

C/Gealy: It might be in here, but I can't find it.

C/Hennis: I couldn't either.

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, August 25, 2015

Troy Behunin: May I approach? My apologies; I can't find it. Let me go and make copies really quick during the public testimony.

C/Gealy: Thank you Troy.

C/Young: Are there any other questions for staff while he is up? Ok. Thanks Troy. We will go ahead and open up the public hearing at 7:28 pm. Under neutral, first I have listed who wanted to testify is Laura Price?

Laura Price: Hi there, my address is 1921 N. Andrew Lane in Kuna. So, we own some lots in the Somerset subdivision or Saratoga subdivision right here. We do have pasture there so we flood irrigate and we want to make sure that there is a berm maintained and we want to make sure we have privacy for animals from backyards so...yeah. The notes that you guys shared during the neighborhood meeting; does that have the detail that we are looking for?

C/Hennis: It has an outline of like five or six questions that were highlighted with the responses.

C/Wierschem: Would you mind approaching?

Laura Price? Yeah, I was just wondering if I should go back through that or

C/Young: If you could just go ahead and recap?

Laura Price: Yeah, so we want to make sure of privacy, durability and that there is a maintenance plan. So, six feet; something that is hopefully a natural material and not plastic so it is not reflective on our pasture because that is our side. And something that there is a plan to maintain over time.

C/Hennis: What do you mean by natural?

Laura Price: Preferably like a wall type material, but if not, maybe wood? We don't want plastic in our pasture so the vinyl fence weathering.

C/Hennis: Ok, well the problem with that is Kuna code does not allow for that. It disallows wood and only allows for plastics, so we have to kind of work on that.

Laura Price: Yeah, they were mentioning that when we talked before, and I think the concern is that it is a flat face on the north side so that will reflect. It is hard to keep the grass green and the pasture green out here so we are doubly concerned if it's going to have a glare on it. Yeah. And I think the vinyl might be more appropriate where you have a neighborhood against a neighborhood, but we are zoned to be transitioned so we want that to be taken into consideration.

C/Hennis: Ok. Are you city or county?

Laura Price: We are county.

C/Hennis: Ok. Thank you.

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

Laura Price: Yeah, and that would be for that side. And again, just the flood irrigation; we just want to make sure that there is a berm there or else we will start to flood back yards.

C/Young: Ok, thank you very much.

C/Gealy: I'm sorry, but Ms. Price I have one question for you; you mentioned durability, did you mean durability of the screening material?

Laura Price: Yeah, just something... I mean, obviously...so we'll back up to I think seven lots in the original plan, so we are a little concerned about having to coordinate maintenance over time. So, if it is something that is pretty durable then hopefully we won't have to be maintaining too much over time.

C/Gealy: Thank you.

C/Young: Ok. Also listed next to Laura Price was Doug Price; was there anything that you wanted to add to? Ok. I have nobody else listed to testify as neutral. I do have Dustin Coe. Did you have anything you wanted to add or are you just listed? Ok. And next I have listed in opposition; Brian R

Brian Reczek: Yes; Brian Reczek, Mr. Chairman and Commissioners, I live at 204 W. Wood Owl Drive, Kuna and I would back up to this position, so basically, four houses in from the Linder side. I stand in opposition to this for a couple of different reasons; I have a couple of questions in regards to this situation. For starters, I am not exactly sure why we are developing this space at all, but I realize that is the money making venture for the people involved, but at present, we have within a mile of this proposed spot already, including Arbor Ridge, there is approximately three or four developments that are in the state of development which no house have been built on and we are expecting to build another 400-200, I am not sure exactly of the number of new spots in that development. Also, from what I gathered from the meeting that we did have earlier, which I was at; the proposed expansion is to put houses in there that are actually smaller than the houses that are surrounding it. Those will most likely decrease the value of those houses there. 1500 square feet was approximately what they gave us, at least at the meeting. The houses on my street are about 2000 to... mine is 2500 square feet and up so it is considerably less at least from what he had discussed with us at the meeting. It seems like although there is a plan, it has been changing over time. This is not exactly what we were proposed with when we had the meeting in the first place as was mentioned. They changed that street and the layout of a few of the lots there. Also, this is the third; I believe, I could be wrong, but different proposals of how they were going to outline this space. The original proposal, I believe it had some commercial spots on the front and then residential behind it and that may not have as much to do with us but it doesn't seem like there is a clear and precise plan, it seems to be ever-changing and I guess I would like to see something come about of that before it was actually given a go-ahead. From what I gather, I don't hear of any clear traffic plan; not that I am aware of. As it is right now, with the piping that they were talking about, I don't if it was the sewer piping or if it had anything to do with that residential ditch but, they run semi trucks up and down our street already without any kind of guidance and with kids playing there, which is a concern to somebody who had two children at home and I don't see of any additional fire, police, CMS plans for this area so I don't know if that is considered or not.

C/Young: Alright, I will have to say that your time is up, but we do appreciate your input. Thank you. Next listed to testify in opposition is Bruce Fox. Please come forward and state your name and address for the record as well, thank you.

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

Bruce Fox: Good evening, thanks for the opportunity. My name is Bruce Fox. I live at 1920 N. Andrew and I am neighbors with the Price's and I have been a resident there for two months. Had I known about this development, I may have made a different decision. I am not here to offend anyone, because I am certainly not opposed to development in general, but I am opposed to this development as shown. With the established setbacks that have been stated on the planning documents that I have seen, very, very small homes going into this development. The density I believe that was stated; it is 3.6 or 3.8 is the math that I do. Again, very tight density of homes, very small homes; these are starter homes. Although they may be initially sold as primary residences, it has been my experience and my guess that this development, in a very short period of time, a lot of these will be rentals. That just doesn't promote long-term, quality, community growth. This project as was stated by the previous speaker, this project is about money. This project is not about quality community planning and vision, this project is about money. So I would just encourage and recommend to the planning commission and this body to revisit... obviously, I haven't been in on... maybe I'm too little, too late, this has already been approved, so if it goes through, I would encourage this body to work with this developer to reduce the density and add more green space, and inject some future vision into what this community will look like ten years from now. Do you want it to look like that ten years from now? I don't. This is the phasing plan that I have been presented with and I am along the south of phase 4.

C/Young: I would just ask that you stand in front of the microphone so that we can get this all on the record please. Thank you.

Bruce Fox: So, again I am not here to offend anyone, but I am here to spur your interests ... you spent 35-40 minutes talking about landscape on Cloverdale, I know you care about it. So let's look at the future vision of this community. Thank you.

C/Young: I do not see anybody else signed up to testify. Is there anybody else who would like to add your name to the list or have anything else to say before I close the public hearing?

Inaudible speaking from audience

C/Young: Well, we've already had the time frames for folks that have spoken, but thanks. And, if we can have you just go ahead and sign this for staff. Put your name and address on here as well, and staff will hand that to you and we'll just have you state your name and address for the record.

Robert Henderson: Yes, my name is Robert Henderson and I live at 225 W. Wood Owl Dr. With the proposal to the plan, and like the other gentleman said; there is a lot of heavy traffic right now for the construction portion of it and we do have quite a few young kids that play in the streets in our area and we have tried to get the traffic controlled a little better. We have a lot of problems with speeders and I was the vice president of the HOA three years ago; we had a check done on how the speeding was going. The speed limit is 25 mph so with the top-out speeders doing 40 mph and 50 mph, and the people getting out of their homes and doing 5 mph, the average speed was 17 mph. So it didn't do any good having the check done, but we do have a problem with speeding in the area. We also have a problem with Knife River drivers speeding through the area and what is the future of our street? We are 30 houses on the street; we have just a little bit that goes into the housing development; well this is going to be a main artery because there is out on Linder, one entrance. Ours is the only other, so they are going to come down and go around to bypass traffic, especially if they are coming from Ridley's and those areas, so that is going to increase the traffic tenfold right through it, because it's coming into the back section of all these houses. How are they going to deliver this material? Like I said, the street is going to give out and then we are going to be left going up and down a bad street. And if a kid happens to

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

get hit, you know we are looking at a safety aspect. We do not have much law enforcement on our street. I'm retired air force and I don't get around much, so I see the street day in and day out. We do not have much law enforcement; maybe in a week, I will see one patrol car come by. We don't have a lot going on in our street either, so maybe that is why. But with these speeders and things like that, it's just not being taken care of and I fear for the kids mainly, but the roads and how are they going to go about taking care of this. Thank you.

C/Young: Ok, is there anybody else that would like to add their name to the list at this time? Ok, hearing none, I will ask the applicant to please come forward and rebuttal.

David Crawford: Chairman and Commissioners, Dave Crawford with B&A Engineers. I guess what we have heard this evening from the opposition to the project is not unusual as we see growth coming out of the worst economic crises in our lifetime. This is the growth. This is based on the Kuna comprehensive plan and these are the densities that we see here actually less than the densities that are afforded by the Kuna comprehensive plan. We construct the roads based on what Ada County Highway District; we dedicate those every time a subdivision plat goes through. ACHD owns, operates and maintains those roadways. They are built within the standards that the Highway District requires of us. We preferred; Mr. Reczek was it? ...He backs up to the development and he lives in a very similar development that is consistent with the density for these types of zones. Now, the home sizes vary; not all of them are going to be 1500 square feet, not all of them will be 2500 square feet, but this product is being brought to market because it can be sold within a reasonable time frame. It's developed in accordance with what we are seeing current market rates absorb these lots at about 40 lots per year, and that is what you're seeing here on the phasing plan, so it is a long term plan for the development of this subdivision. The streets will be widened as necessary throughout the project out on Linder. Ardell Road will be brought into play because of this project, which will add another arterial collector road and then on the boundary, School Street westbound will also be finished out. There are access points through this subdivision to each one of these streets. We have reduced the number of access points from other developments outside of Kuna; typically have more frequent access points. In this case, we don't want cut-through traffic coming in from some of the larger roads or from other developments, and so it reduces the traffic through the development by limiting the connections out to the public streets. In accordance with the Kuna code, we have also provided for a traffic study; and that was also included in your packet. I am not a traffic engineer but there is a synopsis in there which indicates that the development of Ardell Road, School Street and Linder Road will operate at acceptable levels of service as it is defined by the Ada County Highway District. That does require us to dedicate additional Right-of-Way to put improvements out on the Right-of-Way, to put sidewalk out on the Right-of-Way and we're doing all of that to assist pedestrians as well as vehicle travel through there. If I can jump a little bit to Mr. Fox; we have notice the development here in accordance with Kuna city code, all neighbors within 300 feet were notified; the city staff provided us with a notification list, and we held the neighborhood meeting prior to submitting the application. I have received much input which is discussed within the narrative that I wrote related to the project and discussed its phasing and of course it's fencing plans. As we have heard, the Kuna code is pretty restrictive on what we can put in for fencing which buffers the development. We plan on complying with what the city of Kuna requires for buffer fencing. We can't stipulate to have anything other than that, as it would be in violation to the city code. There is traffic increases with growth and we have accommodated for the widening of those arterial and collector roads to handle the growth. There is not a lot that we could do about what Mr. Henderson indicated, that there was speeding in the neighborhood; the development doesn't really do anything to reduce speeding or increase speeding, but that is a function of the police department, so increased police presence could certainly assist with speeding in there. With that, I will stand for any questions you may have.

C/Young: Does anybody have questions for the applicant.

CITY OF KUNA REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES Tuesday, August 25, 2015

C/Hennis: No, I don't.

C/Young: Ok, none at this time for ...?

C/Wierschem: I do. Going through this packet, and the project and the size of the project and its impact on our citizens as far as schools and so forth... the other entities within our city; have you had a discussion or is the school aware of this project and the size of it? And, I know that is not our jurisdiction, but because that is my profession and I know that schools are past their max at this time, I am curious if you had contacted the local school district to inform them of your intentions?

David Crawford: Chairman and Commissioners, we didn't specifically engage the schools; we presumed that the schools would be notified by the appropriate city staff or if they were part of that to have input. We typically don't. Schools at max level; these are issues that go well beyond what we're doing here today. I mean, I'd like to say 'yes, we addressed all of the issues', because we simply can't. Funding is the biggest thing with schools and a reasonable development plan. We don't know where the next school site is supposed to be located and there is not a lot that we can do to engage the schools to let them know. I suppose in the future I could do that, but I believe that was a function of the normal notification process; much like the way the city notifies the highway district and other entities are involved, the schools would be notified in that process.

C/Wierschem: Ok, thank you.

C/Young: Ok.

C/Hennis: They didn't receive comments from the school district?

C/Wierschem: They did not contact them.

C/Young: Are there any more questions for the applicant at this time? Ok. Thank you. Hearing none, I will close the public hearing at 7:50 pm and then it leads us into our discussion. Is there anyone that would like to go first?

C/Hennis: Well, I do have concerns with a large development going in. I mean I do wonder if we actually need it, at that point, but this has been planned for a long time and it is reduced over what it used to be quite substantially. This is what the market is looking for. Smaller homes are not perceived like they used to be necessarily; people are buying them because they don't like the expanse. I am in that part of the industry, so I know. Otherwise, I think it is fairly well laid out, I mean the densities are pretty low considering.

C/Young: I agree with some of that, with a lot of that and it is already zoned R-6, so as far as density goes, it is an approved use in the existing zoning that is there. They are not asking for a change in zoning to reduce it from a lower density to a higher density, it is an allowed use in a currently zoned area.

C/Hennis: They are actually presenting less than that. The only thing that might be possible; I don't know what you guys feel like but they do have, with this change to the pressurized irrigation storage and such, they did come out with two extra lots so maybe just provide an open space over those two lots. Not necessarily a playground and everything else, but an open space that won't require much maintenance, but gives kids somewhere to play nearby to the house.

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

So at the bottom of ... no above Kerrick Road between Whiting and Woodstown, maybe those two bottom lots? I don't know, just something that I thought about with what...

C/Young: I agree, you know, with what is listed and what I see shown in the plan as far as 27 common lots, its ... I am still thinking that it would be good even if keeping the same area as listed at the 7.87 or taking a piece of those strips and creating ... I don't know, I would have to look and do the numbers on the lot size, but to create a space for the people in that area. I am excited that as development is happening, some of the planning that has gone in with the pathways and connecting these developments as they come in, it is a part of the vision for the city to get these connections so those pathways can get to the park. But, a half-mile for two years old and an eighteen month and you know? It is still a distance. But I think if we keep some of those, even if it is the same area, just taking some of the 'strip' landscaping and condensing it into an open area...

C/Hennis: But that would take green out of every parcel.

C/Young: You know, I understand that; I get it but...

C/Hennis: I am against that. I would rather see them give up a couple of lots and try to do that.

C/Young: Well... yeah or they can come back with another plan that says 'here is our open space' and give them an option or two.

C/Wierschem: With that many homes, there should be a place for the kids. They should not have to rely on leaving and going whatever the distance is.

C/Hennis: No, I think so too.

C/Wierschem: And, I just have some concern on what is the percentage of the different size of homes that they are going to put on these lots. Is it 80% 1400 square feet or is it...?

C/Young: You know, I think that they have addressed a range, but I think that the market will determine what those final home sizes are as they develop those areas and stage them.

C/Wierschem: And I totally understand and respect that, but I just think that I would like some clarification because when they build this, I want it to be for the future and not for the past.

C/Young: Could the applicant approach and maybe answer her question?

C/Gealy: It looks like staff has something to say.

Troy Behunin: For the record, Troy Behunin, city planner. To answer your question Stephanie, I am sorry, Commissioner Wierschem; when it comes to home sizes and percentages of lots with home sizes and styles of homes, unfortunately the subdivision regulation does not get into that. Really, what we are here to do is to measure the proposal of the development against the requirements of the subdivision ordinance and it does not wander into 'how big are the homes, how small are the homes'? To be completely frank, home size should not be a consideration at all,

CITY OF KUNA

REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES

Tuesday, August 25, 2015

either for or against; it should not even be part of the discussion. We are not here to discuss home sizes tonight; we are here to discuss 'does this meet the application guidelines of the subdivision ordinance'?

C/Wierschem: Thank you. So, I guess back to the common lots.

C/Gealy: Well, I think it is a very basic subdivision and I just happen to glance back at one that we saw recently that was 262 lots and included a tot-lot, a park and a swimming pool in addition to pathways. And it is not necessarily children that will be using the lots and young families that will be purchasing homes in this area, but from my understanding, there is a large influx of retirees that come into our area, so we could have more senior people as well; myself included. I think that we need to be aware of the potential uses by a larger population as well. Just as a side note; I am not a traffic engineer but I have heard that straight roads tend to encourage speeding more than roads which have more of a curve to them, but that is hearsay because I am certainly not an expert. But I would like to see some... I like the path. I am sorry that it doesn't have any shade on it; it would be hard to use on some of the days we've had this summer. I would like to see some sort of green space amenity for the residents of the subdivision.

C/Hennis: Yes, good point there. Again, it goes into what our city ultimately is looking and striving for which is open spaces and activities parks. Is that something that we want to have them take a look at and re-propose to us or how do we...?

C/Young: I think so. Is that something that we could have them tabled and bring back a modified landscaping and open space plan?

C/Hennis: I agree.

C/Gealy: It looks like staff has something to say.

Troy Behunin: Again, for something such as you have just discussed; the open space, it doesn't necessarily require that a redesign come back before you. You can simply conditions that with staff and it would be noted in the Findings of Fact, it would go to City Council and then at that time, they could continue making modifications if that is what this body would like to see. Then that would keep the timeline tidy.

C/Gealy: May I ask something else? The concern of the neighbor regarding flood irrigation; I think you were out of the room, but a neighbor with pasture is concerned that vinyl fencing would have a reflective quality that would be disturbing the livestock and to the pasture growing. Can you address those concerns?

Troy Behunin: I can't explain it from a technical point of view or as an expert, but I can tell you that there are plenty of pastures in Kuna with vinyl fencing; plenty of pastures in Kuna with wrought iron fences and staff are unaware of any kind of conflicts that have occurred because of those mixed materials.

C/Hennis: Is there any allowance in this type of situation for any other types of materials? Or is it just our standard?

Troy Behunin: There are alternatives to vinyl. There is wrought iron, masonry wall or any combination thereof.

C/Hennis: But that is about it.

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, August 25, 2015

Troy Behunin: But again, vinyl fencing; it falls squarely within the requirements.

C/Hennis: Ok.

Troy Behunin: Does that answer your question?

C/Gealy: What about the flood irrigation concern; that they flood irrigate and would flood the neighbors' yards?

Troy Behunin: Well, it is actually an Idaho State law that you must contain your water on your property. And if you flood irrigate, then it is your responsibility to contain that water, just like it is the responsibility of this developer to ensure that none of their water escapes their property. And that is in Idaho state code, so if water is leaking, someone needs to be paying attention. Does that answer your question?

C/Gealy: Yes, thank you.

C/Hennis: Anything else?

C/Young: Does anyone have anything else they would like to add? I will entertain a motion.

C/Hennis: I want to clarify something with how we feel as a Commission, so pretty much under the understanding of additional open space that they can work with; we can give approval for that but how do we want to address the property barrier south of the pasture land with the fencing? We don't want to just necessarily leave it to vinyl, but do we just specify that the developer will work with the homeowner's or something appropriate or for the city to find an appropriate solution or what is your feeling? Because, I do know as a horse owner, vinyl does not stand up to horses very well. It damages and also can injure them fairly easy. But, putting in a masonry wall that entire length is very expensive. Wrought iron might not be a bad option.

C/Gealy: But with wrought iron, you don't have any privacy.

C/Hennis: Correct and that would be one of the neighbors concerns and how the neighbors feel as well. Because we can't do wood because it never upkeeps correctly. Plus city code won't allow it.

Troy Behunin: Wood or chain link would not be acceptable for perimeter fencing.

C/Hennis: And I would also be concerned as a horse owner about wrought iron too, depending on the design of it could create issues. Hoofs getting caught and things like that...

C/Young: Well, I know that we have wrought iron along the pathways and along the canals that typically border a lot of those which typically that is a requirement of the irrigation districts that they have the clear vision into those canals; not that I am talking about the canal here but overall, I think that perimeter edge, wrought iron fencing just may be appropriate.

C/Hennis: Yeah, but the problem with that is, how would you feel as a home backing that and that is all you have got. Like I said, it is a privacy issue.

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, August 25, 2015

C/Wierschem: It would have to be

C/Gealy: I can't hear you.

Troy Behunin: Staff would have a question as to what type of fencing is in place already for the livestock. Is it wire? It is wire? So then while vinyl itself may not keep out horses, it certainly would be an improvement to add vinyl to an existing condition because they are not replacing the fencing that is there, they are adding to whatever is there. Their responsibility is not to replace a fence.

C/Young: Right. And the privacy issue...

C/Gealy: What about a berm? I mean, not a six foot berm, but a small berm with a wrought iron fence or what if we ask that applicant to work with staff?

C/Hennis: That is what I am thinking is let's kick it to that because I think a berm would be two-fold in that fact that it would aid those homeowners in not dealing with the irrigation even though it is their responsibility, but it would also give them a little bit of a visual break between the two. But yea, we could easily have them work with staff.

C/Gealy: There may be other solutions that we don't think of at this moment.

C/Hennis: Ok.

C/Gealy: Before you make a motion, I would just like clarification because we have two cases before us; we have the 15-04-S [the preliminary plat] and we have the 15-07-DRC [the design review], so that would be two different motions, is that correct?

C/Hennis: That is what I was just looking at because one is recommending approval to the Council.

C/Gealy: And so... go ahead.

C/Wierschem: So he stated that the signage is not included in this design review?

C/Hennis: Correct. It will be coming at a later time.

*Commissioner Hennis motions to recommend approval to City Council for **15-04-S** (Subdivision) Ardell Estates preliminary plat, with the conditions as stated in the staff report and the additional conditions that:*

- 1) The applicant work with city staff to provide for appropriate screening on the south side of the development adjacent to the pasture areas and;*
- 2) The applicant address the need for some additional open spaces for residents to use in the subdivision and present those to City Council and;*
- 3) Strike/eliminate condition #13 from the staff report;*

Commissioner Gealy seconds, all aye and motioned carried 5-0.

CITY OF KUNA REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES Tuesday, August 25, 2015

Commissioner Hennis motions to approve 15-07-DR (Design Review) for Ardell Estates preliminary plat, with the conditions as stated in the staff report and the additional conditions that:

- 1) The applicant work with city staff to provide for appropriate screening on the south side of the development adjacent to the pasture areas and;*
- 2) The applicant address the need for some additional open spaces for residents to use in the subdivision and present those to City Council and;*
- 3) Strike/eliminate condition #13 from the staff report;*

Commissioner Gealy seconds, all aye and motioned carried 5-0.

The Commissioners thanked citizens for their testimony and reiterated that the Commission does consider everyone's input valuable.

4. DEPARTMENT REPORTS:

- a. None

5. CHAIRMAN / COMMISSIONER DISCUSSION:

C/Gealy: I spoke with Troy about this; I have been driving around looking at sidewalks and noticing that... I think that we need to be or perhaps I need to be aware of how sidewalks are placed in conjunction with roads; because I was thinking of like Ten Mile and Deer Flat and those are really busy roads. We're seeing curb, gutter and sidewalk but in many areas I see a grassy area between the road and the sidewalk and I think that might be safer for children, pets, older folks, pedestrians, cyclists. I think within subdivisions it is fine to have curb, gutter and sidewalk; but along some of our main roads, I think we should be watching the placement of those sidewalks.

C/Young: There are provisions in the city code for internal subdivision streets, arterial streets and collector streets. As you get into those heavier traffic that is where those separations start to go, but if it is something that we can...

C/Gealy: I think we should just be aware of it.

C/Hennis: Yes. I think you are right.

C/Gealy: I was noticing it today and I was just driving up Locust Grove so that is not even in our jurisdiction, but there will be places where the sidewalk runs right along the street and places where it is offset a little bit.

Wendy Howell: I can tell you that if it is within ACHD's five year work plan, typically we do not do actual curb and gutter, sometimes even the sidewalks because ACHD will be coming out to install them. If it is longer than that, it usually ends up with a long conversation with ACHD to determine the best treatment to move forward with. They have a design book with different types of cross-sections for what to put where. Some of the borrow pits which is that grassy area that you are talking about, is no longer allowed in certain areas. In other places they do allow it, I mean there are a lot of variable that go into that.

CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION

MEETING MINUTES
Tuesday, August 25, 2015

C/Gealy: It was just... I don't know why it just occurred to me. When you see in the subdivisions where they have the nice meandering sidewalk where we actually see people walking their dogs and pushing a baby stroller and then you see a sidewalk right along Locust Grove with cars going by at 50 mph.

C/Gay: Well out there on Linder, is it Linder that...

C/Gealy: Well, I think we can all think about it and we'll watch when we are out.

C/Hennis: Well, I mean you have a good point because if you have ever walked along those, just think about how you feel.

C/Gealy: It's frightening.

C/Hennis: Yeah, and I think that we have looked at some of these in the past. I know that on Hubbard, we tried to get sidewalks back as much as we could so I think it is something that we definitely have to think about.

C/Gay: Going out Linder, they are widening that road. And then it is curb, gutter and sidewalk.

C/Gealy: It was just something that occurred to me and I don't know if we can really talk about it with... maybe we can talk about it when we have a particular filing in front of us, but I think it might be something we should be something to just be aware of too.

C/Hennis: I agree. I think that is one of the biggest detractors to me outside certain developments, you know, what I like to see and what I think is attractive is that first buffer zone. I mean, it makes a big difference between subdivisions.

C/Gealy: And if we are putting in sidewalks, are they sidewalks that people are actually going to use?

Wendy Howell: When you are looking at a specific project, both in the staff report and in ACHD response, you will find what is required in that specific area.


C/Gealy: Thank you. That was all I had.

6. ADJOURNMENT:

Commissioner Hennis motions to adjourn at 8:16 pm; Commissioner Gealy Seconds, all aye and motion carried 5-0.

**CITY OF KUNA
REGULAR PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, August 25, 2015**



Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:



Wendy I. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department